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UNCLAS SECTION 01 OF 02 USOSCE 000252

SENSITIVE  
SIPDIS

STATE FOR VCI/CCA, EUR/RPM  
NSC FOR FRIEDT, NILSSON, HAYDEN  
JCS FOR J5 NORWOOD, COL SMITH  
OSD FOR ISA (KEHL, WALLENDER)

E.O. 12958: N/A  
TAGS: [KCFE](#) [OSCE](#) [PARM](#) [PREL](#)  
SUBJECT: CFE/JCG: NOVEMBER 10: NO CHAIRMAN'S LETTER;  
MINISTERIAL TEXT RE-TABLED

¶1. (SBU) Summary. At the November 10 Joint Consultative Group (JCG) plenary, Italy and France supported by 13 other delegations, including the U.S., raised the Russian Federation's refusals to their recent requests for CFE inspections. Russia again accused NATO allies of violating group limitations on Treaty Limited Equipment (TLE). The start date for the winter/spring JCG session was agreed. There was no agreement on the draft Chairman's letter; the draft JCG ministerial text was re-tabled. France, as incoming JCG Chair, recommended rescheduling the November 24 JCG plenary since a reinforced PC is planned for the same date and time. End summary.

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Fifteen States Express Concern over Russian Refusals  
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¶2. (SBU) At the November 10 JCG plenary, chaired by Spain, Italy and France raised Russia's refusal of their recent inspection requests. They in turn were backed by 13 other delegations which expressed appreciation and support for bringing the latest Russian refusals to the attention of the JCG. These were: Turkey, the Netherlands, Portugal, Romania, United Kingdom, Czech Republic, Spain, Bulgaria, Denmark, Belgium, Germany, Georgia, and the U.S.

¶3. (SBU) A reply by Russia (Ulyanov) took issue with Denmark, the Netherlands, and the United Kingdom for their descriptions of Russia's refusals as "noncompliant" with the CFE Treaty. The U.S. (Neighbour) intervened to observe that Russia should take issue with the U.S. approach too, since the U.S. similarly views Russia's refusals as not compliant with the Treaty. He stated this view had been detailed (JCG.JOUR/682/Annex 4). Ulyanov tried to turn the blame onto NATO allies, whom, he alleged "grossly violated" numerical group limitations of TLE under the CFE Treaty. The UK rep (Gare), noting she was instructed to speak when accused of "gross violation" of the Treaty, observed that no evidence of any violation had been demonstrated. Ulyanov said that the UK, on a national basis, was not in violation of TLE limits; however, collectively, NATO was. Ulyanov recalled the "statistical analysis" distributed by Russia to the JCG before summer recess.

¶4. (SBU) Germany (Genrich) rejected the notion of NATO's collective political responsibility. When Russia raised these allegations earlier this year, Germany went on record that legally no State Party was in violation of national or group (as a member of NATO) limits. Ulyanov said the German statement "had failed to satisfy Russia" because it took into account adapted CFE Treaty provisions, which contain national instead of group limits. Ulyanov again asserted NATO allies were in violation of "former CFE Treaty" provisions. (COMMENT. Ulyanov has referred this way to the current CFE Treaty a number of times. End comment.) Germany immediately replied that its argument was indeed based on the current CFE treaty, which "is still in force."

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Draft Ministerial Text Back on Table  
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¶5. (SBU) Under any other business the Chair (Spain-Sabadell) implied the prospects of a JCG Chairman's letter to the Ministerial Council were bleak, but that consultations were ongoing. Meanwhile, a draft JCG paragraph that would be a contribution to a proposed ministerial declaration in Athens had been circulated on October 23 (JCG.DEL/2/09) and remained on the table. Sabadell said a JCG contribution this year would "be a much needed signal to demonstrate our commitment to CFE and arms control." Russia endorsed this. Ulyanov, instructed by Moscow, said Russia believed consensus on a draft paragraph was possible "provided we resist word play," i.e., whether CFE was a cornerstone of European security.

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Instead, Russia believed we should concentrate on common ground, i.e., our desire to overcome the current crisis and commitment to arms control. Russia stands ready to engage in consultations.

¶6. (SBU) (NOTE: Sabadell was even stronger at the NATO-T and said the letter was dead, but would leave responsibility to confirm it to the incoming French JCG Chair. He then looked at the French delegate who made a motion of killing the letter with a stabbing action. Sabadell indicated he would restart consultations on the draft ministerial text. Italy's rep Negro compared the current draft JCG ministerial text to "a newborn on life support," and warned that we consider all atmospherics, including Georgia, Moldova, Nagorno-Karabakh, etc., which potentially would also complicate OSCE ministerial declaration agreement. Turkey's rep Begec strongly noted that the draft text circulated was a Spain/Denmark/France version, NOT a JCG version. End note.)

¶7. (SBU) On the margins of the JCG, France (Simonet) cautioned, however, that as incoming Chair he felt he would have to "carry the torch until the bitter end" on a draft paragraph since the Greek CiO explicitly confirmed its intention to aim for an OSCE political declaration with a placeholder for CFE. Mission will rely on standing guidance that any draft JCG ministerial text accurately reflect the current situation, unless otherwise directed.

¶8. (SBU) In the JCG plenary, incoming French Chair (Simonet) also noted that a reinforced PC had been scheduled same time as the November 24 JCG plenary, but expressed that we should not miss the JCG plenary, especially since it was the last before the December ministerial. Italy, the UK, and Georgia agreed, suggesting that the JCG convene a half hour earlier than normal (at 09:30) so delegations could attend both meetings. The U.S. (Neighbour) even suggested more flexibility by giving France the options of convening the meeting at 09:30 or to cancel the November 24 JCG if nothing substantive (such as agreeing to a draft ministerial paragraph) was expected. Russia said it could support the Italian/British/Georgian proposal, or agree to postpone the JCG plenary.

¶9. (SBU) On the margins, Russia's Chief Arms Control Delegate (Ulyanov) told the U.S. (Neighbour) that after the Athens ministerial, he might send a deputy to most JCG meetings. He said the JCG meetings are not useful and he might prefer to concentrate on other issues, such as the FSC.

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Dates Set for Next JCG Session  
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¶10. (U) No objections were raised to the draft decision on the duration of the present JCG session. The current session will close December 18 with the last plenary taking place December 15. The work of the next JCG will theoretically begin January 11, but the first plenary will not take place until January 19 (JCG.DEC/2/09).

¶11. (U) The next JCG plenary will be on November 17 under the chairmanship of France. The NATO-T, chaired by Croatia, will take place on November 16.  
FULLER